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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,077	08/04/2000	Deborah L. Caswell	10001097-1	1090

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Intellectual Property Administration
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EXAMINER

DAVIS, ZACHARY A

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/633,077	Applicant(s) CASWELL ET AL.	
	Examiner Zachary A. Davis	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A response was received on 23 November 2005. No claims have been added, canceled, or amended. Claims 1-14 are currently pending in the present application.

Response to Arguments

2. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Oath/Declaration

3. The Examiner notes that the oath was objected to due to the lack of a post office address in the application papers, noted in the Office action mailed 24 February 2004. The Examiner further notes that Applicant's remarks in the response received on 27 August 2004 stated that the requirements regarding the oath were being solicited and would be submitted in a separate communication; however, Applicant has yet to submit such a communication. The objection is repeated herein for Applicant's convenience.
4. Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required.

Drawings

5. The Examiner notes that the drawings were objected to in the Office action mailed 24 February 2004. The Examiner further notes that Applicant's remarks in the response received on 27 August 2004 stated that formal drawings were being prepared and would be submitted; however, Applicant has yet to submit corrected drawings. The objection is repeated herein for Applicant's convenience.

6. The drawings are objected to because the figures are hand-drawn. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

Art Unit: 2137

applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treyz et al, US Patent 6587835, in view of White, US Patent 6049877.

In reference to Claim 1, Treyz discloses a location sensitive system for a physical entity that includes a beacon, which has a predetermined transmission range, located adjacent to the entity, where the beacon transmits a beacon signal that distinguishes between sources of access requests (see column 23, lines 8-36; see also Figure 16; see also column 38, lines 23-54; column 39, lines 18-27 and 49-61). Treyz discloses that transmitted information can expire within a predetermined time period (see column 40, lines 14-19). Treyz further discloses a web server (see, for example, Figure 21, Server 274) and a location authentication module that determines the location of the external access requests (column 23, lines 26-36). However, although Treyz distinguishes between sources of the requests, as noted above, Treyz does not explicitly disclose that the beacon signal contains a web address and explicit token.

White discloses a system that transmits a signal, which distinguishes between sources of access requests (see column 7, lines 19-22, where the token is created based on user information), containing a web address of a web site (column 8, lines 5-6, where the cookie contains path information) and a token that expires within a predetermined time period (see column 8, lines 57-59, where the seed for the token varies with time, and column 9, lines 22-29, noting that the validity of the token may depend on the dynamic input used). White further discloses that the system includes a server (Figure 1, server 20) and an authentication module that restricts access to the web site if an external access request does not contain the token or the token has expired (column 9, lines 29-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Treyz to include the specific address and token of White, in order to add an authentication mechanism to the system (see White, column 2, lines 38-46).

In reference to Claim 2, Treyz and White further disclose blocking access to web site content (see White, column 9, lines 29-32).

In reference to Claim 3, Treyz and White further disclose that the contents can be web content pages (see White, for example, the HTML document of column 6, lines 42-44) or application programs (White, see the section discussing CGI applications, beginning at column 6, line 10).

In reference to Claim 4, Treyz and White further disclose that the token contains a time stamp (see White, column 8, line 57-59, where the seed may be time of day) and the authentication module decrypts the token using a secret key also used to generate

the token (White, column 9, lines 19-21, where a symmetric key is used to decrypt the token).

In reference to Claim 5, Treyz and White further disclose that the authentication module compares the token's time stamp with the present time (see White, column 9, lines 26-32, where dynamic input has been used to create the seed for the token, and the key may differ based on the differing value of the seed).

In reference to Claim 6, Treyz and White further disclose a token generator (see White, Figure 4, step 112), a memory that stores the token and web address (see White, column 5, lines 47-55, noting the persistent data storage and memory), and a communication interface (White, column 5, lines 47-55, and Figure 1, noting the connection of server 20 to network 17).

In reference to Claim 7, Treyz and White further disclose a request handling engine that handles access requests and responses (see White, column 6, lines 50-54) and a content generator (see White, column 6, lines 62-65).

In reference to Claim 8, Treyz discloses a location sensitive system for a physical entity that includes a web server that generates content regarding the physical entity in response to external requests (see, for example, Figure 21, Server 274); a location beacon adjacent to the physical entity, having a predetermined transmission range, where the beacon transmits a signal that distinguishes between sources of access requests (see column 23, lines 8-36; see also Figure 16; see also column 38, lines 23-54; column 39, lines 18-27 and 49-61) and information that expires within a

predetermined time period (see column 40, lines 14-19); and a location authentication module that determines the location of the external access requests (column 23, lines 26-36) and provides different versions of content depending on the determined location (see, for example, column 28, lines 18-43). However, although Treyz distinguishes between sources of the requests, as noted above, Treyz does not explicitly disclose that the beacon signal contains a web address and explicit token.

White discloses a system that includes a server that generates content in response to external requests (Figure 1, server 20); transmits a signal, which distinguishes between sources of access requests (see column 7, lines 19-22, where the token is created based on user information), containing the web address of the server (column 8, lines 5-6, where the cookie contains path information) and a token that expires within a predetermined time period (see column 8, lines 57-58, where the seed for the token varies with time, and column 9, lines 22-29, noting that the validity of the token may depend on the dynamic input used); and includes an authentication module that provides a first version of content if the request does not contain the token or the token has expired (column 9, lines 29-35, where operations proceed to provide authorization information) and provides a second version of content if the request contains a token that has not expired (column 9, lines 35-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Treyz to include the specific address and token of White, in order to add an authentication mechanism to the system (see White, column 2, lines 38-46).

In reference to Claim 9, Treyz and White further disclose that the contents can be web content pages (see White, for example, the HTML document of column 6, lines 42-44) or application programs (White, see the section discussing CGI applications, beginning at column 6, line 10).

In reference to Claim 10, Treyz and White further disclose that the first version of web content is different from the second version of web content (see Treyz, column 28, lines 18-43; see White, column 9, lines 29-37, where either operations proceed to provide authorization information or access to the CGI is granted).

In reference to Claim 11, Treyz and White further disclose that the token contains a time stamp (see White, column 8, line 57-59, where the seed may be time of day) and the authentication module decrypts the token using a secret key also used to generate the token (White, column 9, lines 19-21, where a symmetric key is used to decrypt the token).

In reference to Claim 12, Treyz and White further disclose that the authentication module compares the token's time stamp with the present time (see White, column 9, lines 26-32, where dynamic input has been used to create the seed for the token, and the key may differ based on the differing value of the seed).

In reference to Claim 13, Treyz and White further disclose a token generator (see White, Figure 4, step 112), a memory that stores the token and web address (see White, column 5, lines 47-55, noting the persistent data storage and memory), and a communication interface (White, column 5, lines 47-55, and Figure 1, noting the connection of server 20 to network 17).

In reference to Claim 14, Treyz and White further disclose a request handling engine that handles access requests and responses (see White, column 6, lines 50-54) and a content generator (see White, column 6, lines 62-65).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Borgstahl et al, US Patent 6487180, discloses a system including a kiosk and personal presence identifier that uses a proximity based wireless link.
- b. Paravia et al, US Patent 6508710, discloses a system that only allows remote access from certain authorized locations.
- c. Meadows et al, US Patent 6716101, discloses a system for determining the location of users by wireless transmissions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

Art Unit: 2137

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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